Bulgaria

International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion; however, the law prohibits the public practice of religion by unregistered groups. The Constitution also designates Eastern Orthodox Christianity as the "traditional" religion.

There was no change in the status of respect for religious freedom during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom; however, discrimination, harassment, and general public intolerance, particularly in the media, of some religious groups remained an intermittent problem.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 42,855 square miles, and its population was approximately 7.8 million at the end of 2003, according to the National Statistical Institute. The majority of citizens, estimated at approximately 85 percent, are at least nominally Orthodox Christians. Muslims make up the largest minority, estimated at approximately 13 percent, while the remainder includes Catholics, Protestants, Jews, Gregorian-Armenian Christians, and others. Among the ethnic-Turkish and Roma minorities, Islam is the predominant religion. While not officially enumerated, academic research estimates up to 40 percent of the population are atheist or agnostic. Official registration of religious organizations is handled by the Sofia City Court; it reported that 61 denominations in addition to the Bulgarian Orthodox Church (BOC) were registered at the end of January 2005, a 36 percent increase over the previous reporting period.

Some religious minorities are concentrated geographically. The Rhodope Mountains (along the country's southern border with Greece) are home to many Muslims, including ethnic Turks, Roma, and "Pomaks" (descendents of Slavic Bulgarians who converted to Islam centuries ago under Ottoman rule). Ethnic-Turkish and Roma Muslims also live in large numbers in the northeast of the country, primarily in and around the cities of Shumen and Razgrad, as well as along the Black Sea coast. More than half of the country's Roman Catholics are located in the region around Plovdiv. Many members of the country's small Jewish community live in Sofia, Rousse, and along the Black Sea coast. Protestants are dispersed more widely throughout the country. While clear statistics are not available, evangelical Protestant groups have had particular success in attracting numerous converts from among the Roma minority, and areas with large Roma populations tend also to have some of the highest percentages of Protestants.

Although no exact data are available on active participation in formal religious services or rituals, most observers agree that evangelical Protestants tend to participate in religious services more frequently than other religious groups. Members of the country's Roman Catholic community also are regarded as more likely than members of other faiths to attend religious services regularly.

Foreign missionaries from several denominations, including, for example, Protestant churches, the Catholic Church, the Church of Jesus Christ of Latter-day Saints (Mormons), and the Jehovah's Witnesses, are present in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the law prohibits the public practice of religion by unregistered groups. The Constitution designates Eastern Orthodox Christianity, represented by the BOC, as the "traditional" religion; some minority religious communities are perceived as holding historic places in society, such as the Muslim, Catholic, and Jewish

religions.

The 2002 Denominations Act allows only legally registered denominations to perform public activities outside their places of worship. The 2002 law transferred responsibility for registering religious groups to the Sofia City Court, which is responsible for maintaining the national register of religious denominations and political parties. The Council of Ministers' Religious Confessions Directorate, which used to be responsible for registering religious groups, provides "expert opinions" on registration matters upon request by the court; however, its overall role remains ambiguous, particularly as regards its administrative oversight and sanctioning functions. All applicants have the right to appeal negative registration decisions to the Court of Appeals. Different denominations acknowledged a general improvement in the registration process since the court took over this responsibility in 2003; however, the International Christian Church complained that its registration took more than a year before it was successfully registered in2004. Some local branches of nationally-registered denominations experienced problems with local authorities who insisted that the branches be registered locally; however, the 2002 Confessions Act does not have any requirement for local formal registration of denominations.

Representatives of some evangelical Protestant churches reported encountering problems in obtaining permission from local authorities, including the Dobrich and General Toshev municipalities, for public evangelization and proselytization.

A Council of Europe review of the 2002 Denominations Act, prepared in early 2003, highlighted that the provisions dealing with the process of registration specify neither the criteria establishing the basis on which the Court should grant registration nor the grounds on which such registration can be withheld. The act also fails to specify the consequences of failure to register as a religious community or outlines any recourse if a competent court refuses to grant registration.

In October 2004, the Parliamentary Committee on Human Rights reviewed draft proposals for amending the 2002 Denominations Act. The changes were introduced by two center-right opposition parties to address the Council of Europe's criticisms of the law, including the law's recognition of the BOC exempting it from the requirement of legal registration. The amendments also envisaged special tax exemptions for all religious groups. However, the majority of the Committee's members effectively ignored the Council of Europe's recommendations by rejecting the proposed amendments.

On May 11, 2005, a Sofia City Court judge issued five separate rulings in an attempt to resolve the 18-month-old leadership dispute within the Muslim community. The most important ruling was the decision to officially register Mustafa Alish Hadji as the new Chief Mufti. The dispute broke out as a result of the 2003 election of two different chief muftis by bodies which both claimed to represent the Muslim community. One of the 2003 conferences elected Fikri Sali as the new chief mufti to replace Selim Mehmed; Sali formerly held the position from 1992-94. The other conference was convened by another former chief mufti, Nedim Gendzhev, and selected Ali Hadji Saduk to replace Mehmed. Both conferences submitted documentation to the Sofia City Court listing their respective candidates as the new chief mufti. A registration controversy ensued, leaving no legally recognized successor to Mehmed.

On March 8, 2004, two Sofia City Court rulings annulled the Muslim denomination's 1997 and 2000 conferences, thereby invalidating the leadership selected by each of the conferences. On July 19, 2004, the Sofia City Court appointed Fikri Sali, Ridvan Kadiov, and Osman Osmailov as interim representatives of the Muslim community pending the settlement of some civil court cases related to the leadership dispute. On November 5, 2004, the Sofia Appellate Court overruled the appointment of the triumvirate, stating that the Muslim community's leadership could be appointed only on its own initiative and not by the Sofia City Court. In January 2005, the Supreme Court of Cassation upheld the ruling; the Supreme Court's ruling combined with the March ruling of the Sofia City Court effectively restored the pre-1997 Supreme Islamic Council, headed by Nedim Gendzhev, as the legal representative of the Muslims in the country.

However, following the Supreme Court's January 2005 ruling, the Supreme Cassation Prosecution confiscated the case files, which prevented the files from being transferred to the Sofia City Court and thereby delayed Gendzhev's registration of the new leadership. In May 2005, the Prosecution turned the case files over to the Sofia City Court for 24 hours, allowing the Sofia City Court to pass the five rulings affecting the leadership dispute. Gendzhev immediately appealed the registration of Mustafa Alish Hadji, and the appeal was pending the Prosecution's release of the case files.

On November 5, the Pazarjik District Court passed a 3-year suspended sentence on Ahmed Ahmed Musa for preaching radical Islam and instigating societal hatred along religious lines. He was also fined for disgracing the national flag. During the trial, Musa made a full confession and pleaded guilty to the charges brought against him. Five doctors confirmed that he suffered from paranoid schizophrenia and as such was extremely susceptible to outside influence. Musa chose not to appeal the sentence.

The 2002 Confessions Act designates the Metropolitan of Sofia, currently Patriarch Maxim, as the Patriarch of the BOC. The law prohibits any group or person who has broken off from a registered religious group from using the same name or claiming any properties belonging to that group.

After a period of virtual obscurity, the BOC's 12-year schism recaptured attention when prosecutors and police intervened, taking the side of Patriarch Maxim and his Holy Synod. In a nationwide operation on the night of July 20-21, 2004, priests from the Alternative Synod, which opposed Patriarch Maxim's leadership, were forcibly evicted from approximately 250 churches and other properties, which the Holy Synod claimed they were illegally occupying. The operation resulted in several clerics being temporarily detained and police closing and securing the properties before returning them to the Holy Synod, which

subsequently reopened them. Some nongovernmental organizations (NGOs) reported police beatings of clergy and lay people.

In the immediate aftermath of the operation, clerics from the Alternative Synod held religious services outside of the churches from which they had been evicted, and core supporters of the Alternative Synod continued to operate a make-shift church in the center of Sofia. A number of the synod's supporters also staged protests against what they viewed as illegal state intervention in an internal church dispute. However, by the time Patriarch Maxim celebrated his ninetieth birthday in October 2004, most of the activities of the Alternative Synod had ceased, and the schism was declared over.

For most registered religious groups, there were no restrictions on attendance at religious services or on private religious instruction. Two BOC seminaries, a Jewish school, three Islamic schools, the university-level Islamic Higher Institute, a Muslim cultural center, a multi-denominational Protestant seminary, and university theological faculties operated freely. Bibles, Qur'ans, and other religious materials in the Bulgarian language were imported or printed freely, and religious publications were produced regularly.

An optional religious education course was first introduced in state-run schools in 1997. The curriculum, developed by the Ministry of Education's Commission on Religion, initially focused on Christianity but was expanded in 1999 to cover Islam, as well. The course, taught in Bulgarian, examines the historical, philosophical, and cultural aspects of religion and introduces students to the moral values of different confessions. All officially registered religious confessions can request that their religious beliefs are included in the course's curriculum. According to the Ministry of Education, the course was offered to 13,209 primary and secondary school students in 199 schools during the 2004-05 academic year. While the Ministry provides the course material for free to students, the existing 166 religious education teachers are funded directly from municipal budgets.

The Chief Mufti's office also supports summer Qur'anic education courses.

Restrictions on Religious Freedom

The law requires religious groups wishing to operate and be recognized as legal entities, as well as those wanting to engage in public activities outside of their places of worship, to formally register with the Sofia City Court; however, official registrations of religious denominations has continued to increase, from 36 in 2003 to 45.

While the state of religious freedom has improved for some nontraditional groups, some groups continued to face limited discrimination and antipathy from some local authorities, despite successfully registering through the Sofia City Court. Article 21 of the 2002 Confessions Act states that nationally registered religions may have local branches according to their statute; however, the law does not require formal local registration of denominations, although some municipalities have claimed that it does.

In January 2005, despite previous hostility in Burgas toward non-traditional groups such as the Jehovah's Witnesses, the confession's local branch was listed in the mayor's list of local religious groups. Also in January 2005, the Jehovah's Witnesses completed construction of a new place of worship in Burgas; however, the denomination reported that the building had been subjected to acts of vandalism and hooliganism.

Although some municipalities, such as Rousse, Shumen, Pleven, Stara Zagora, Plovdiv, Blagoevgrad, and Kurdjali, still had local ordinances that curtailed religious practices and had not been changed to conform to the 2002 Confessions Act, it did not appear that these ordinances were strictly enforced. In March 2005, the Burgas Municipal Council adopted a new ordinance repealing previous limitations on the right of non-traditional religious groups to publicly practice their beliefs.

A number of religious groups recognized that foreign missionaries and religious leaders experienced difficulties in obtaining and renewing residence visas in the country because the Law on Foreign Persons has no visa category that explicitly applies to missionaries or religious workers. The Jehovah's Witnesses reported that the Government twice refused residence visas to two missionaries from Germany, even though the denomination had received approval for their activities and stay in the country from the Religious Confessions Directorate. Some missionaries have resorted to staying in the country as "tourists," forcing them to limit the length of their visits to no more than 30 days every 6 months.

There were no indications that the Government discriminated against members of any religious group in making restitution to previous owners of properties that were nationalized during the Communist period. However, the BOC, the Catholic Church, the Muslim community, the Jewish community, and several Protestant denominations all claimed that a number of their properties confiscated under the Communist government were not returned. For example, the Catholic Church reported that only 60 percent of its confiscated properties had been restituted; in addition to its many outstanding restitution claims, the Jewish community was still involved in a long legal battle over a high-value property in central Sofia. A central problem facing claimants is the need to demonstrate that the organization seeking restitution is the organization--or the legitimate successor of the organization--that owned the property prior to 1944. This is difficult because Communist hostility to religion led some groups to hide assets or ownership, and because documents have been destroyed or lost over the years.

In 2002, Stefan Kamberov, a 66-year-old priest associated with the Alternative Synod, was killed near the St. Panteleimon Monastery near Dobrinshte. The investigation exceeded the statutory limitations by a year, after which two suspects were arrested and released on bail of approximately $1,330 each. The case was scheduled to be heard by the Blagoevgrad District

Court in July 2005.

The Constitution prohibits the formation of political parties along religious lines.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

The Constitution prohibits forced religious conversion. There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Improvements in Respect for Religious Freedom

Despite initial fears that the 2002 Confessions Act would hamper religious organizations' ability to operate freely, 31 new religious groups have registered with the Sofia City Court since 2003.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, discrimination, harassment, and general public intolerance, particularly in the media, of some religious groups remained an intermittent problem. While human rights groups reported that societal discrimination against nontraditional religious groups has continued to gradually lessen in recent years, it was not uncommon for the media to disseminate negative and derogatory stories about nontraditional denominations. For example, the Mormons and the Jehovah's Witnesses both reported numerous print and broadcast media stories with negative, derogatory, and sometimes slanderous information about their activities and beliefs.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy regularly monitors religious freedom in ongoing contacts with government officials, Members of Parliament (MPs), clergy and lay leaders of religious communities, and NGOs. Embassy officers met with Orthodox leaders and clergy, senior Muslim leaders, religious and lay leaders of the Jewish community, senior Catholic leaders, and leaders of numerous Protestant and non-traditional denominations. During the period covered by this report, the Embassy remained closely engaged with government officials, MPs, religious organizations, and NGOs concerning the 2002 Confessions Act, government interference in the BOC schism, and reports of discrimination against religious organizations; with various religious groups and government entities regarding the restitution of properties; and with Muslim leaders regarding Islamic extremism and the Muslim leadership dispute.

Released on November 8, 2005

International Religious Freedom Report Home Page